

Judicial Information Systems Council Meeting (JIFFY) Minutes

Judge Karen Mitchell, Chair

Judicial Information Division
2905 Rodeo Park Drive East, Bldg. 5
Santa Fe, New Mexico 87505
Thursday, October 15, 2015
9:32 - 12:07 p.m.

JIFFY Voting Members Present:

Judge Karen Mitchell, Chair
Judge Duane Castleberry
Judge Henry Alaniz
Tobie Fouratt
Judge Michael Bustamante
Judge Sarah Singleton
Judge Mark T. Sanchez
Lynne Rhys
Jim Noel
Judge Alan Kirk
Dennis Jontz

Non-Voting Members Present:

Greg Saunders
Artie Pepin

Guests Present:

Orlando Ulibarri (video)
Robert Padilla
Deborah Torres-Gutierrez (video)
Oscar Arevalo
Suzanne Winsor (video)
Judge Eddie A. Trujillo
Shelbie Allen

JID Staff Present:

April Sessions
Annie Hall
Jane Davenport
Jo Warren
Genevieve Grant
Marla Gabaldon
Adrian Herrera
Steve Harrington
Renee Cordova
Wesley Reynolds
Ruben Rivera
Vince Nicolosi
Pat Mente

I. Approval of Agenda. Judge Mitchell called the meeting to order at 9:32 a.m.

Judge Alaniz moved to approve the agenda as presented. Judge Kirk seconded. No opposition noted. Motion carried.

II. Team Presentations.

Municipal Court Automation Team Presentation. April Sessions the municipal court program manager stated that the mission of the municipal court automation program is to help the municipal courts meet their statutory requirements for automation and reporting.

- Ms. Sessions introduced Judge Eddie A. Trujillo of Las Vegas NM who is a former chairman of the New Mexico Municipal Judges Association's Automation Committee. Judge Trujillo gave a historical description of NM municipal court automation. All courts were mandated in 1994 to become automated, so the association developed the Municipal Court Automation Project and an associated fee would fund the effort. The automation program is funded by fees attached to citations and is defined by statute.
- Ms. Sessions noted that the municipal court team maintains a public website which provides resources to the courts and the general public including forms, copies of statutes, a list of reimbursable items and publications. The municipal courts are funded by their municipalities and share many of the same forms as the magistrate courts. Municipal courts handle cases that include criminal and traffic offenses up to petty misdemeanor and DWI up to third offense. There are 81 municipal courts, 83 judges plus, alternates and over 200 court staff in the state. There are four primary case management systems utilized which are Tyler Incode, Justice Systems, Casselle and Sleuth. The Automation Committee is looking into the feasibility of implementing a single case management system for the entire state and/or a data warehouse similar to Case Lookup for all municipal court cases. AOC's municipal court automation team provides fund management and assists municipalities with DWI reporting, technology support (planning, purchasing, software issues), information sharing, training and interagency collaboration.
- Revenue collected has steadily declined for the past seven years from to \$972,831 in FY8 to \$762,618 in FY15 while the cost of software has steadily increased over the past four years. The Municipal Court Automation Fund operating budget for FY16 is \$955,300 which carries over from year to year. The municipal court fees are broken down into the court automation fee of six dollars to AOC, three dollars to JEC for judicial education and twenty dollars stays with the municipality. When courts make requests to receive reimbursement funds they must qualify by being current with DWI reporting, up to date

sending in fees, there needs to be allocation available and there must be funds available. The Automation Committee initially approves the allocation of reimbursement revenues on an annual basis, and individual reimbursements are signed off through AOC, with DFA having final approval on all payments. A few municipalities have their own local automation fee which helps supplement their needs, thereby freeing program funds for other municipalities. In FY15 \$552,816 was reimbursed to the courts and the major costs were in the areas of hardware, software, maintenance and training.

- The municipal court automation team deals with approximately 200 issues per month such as processing reimbursement requests, collecting and uploading DWI cases, tracking fee remittances, facilitating software user groups and training, providing data for the DWI annual report, generating ad hoc DWI queries, financial tracking analysis and planning, track DWI reporting, provide judge and attorney codes, processing DWI change requests, assisting courts with vendor software issues, technology planning and purchase assistance, conducting surveys, maintaining directories, providing NMI and NM OneSource accounts and creating and maintaining documentation and the website.

III. Review and Approval.

NMLA Request for Access to Odyssey Public Access. Shelbie Allen, Director of Statewide Services for New Mexico Legal Aid (NMLA) explained that NMLA provides legal services to people that are at 125% of poverty level or less and approximately 1 million people are eligible for NMLA services in New Mexico. NMLA handles approximately 1200 DV cases a year throughout the state and their ten offices are often two or three hours from the courthouse. Often when there is a DV Order of Protection request there is also been a companion criminal case filed with the same party such as a battery against a household member. At this time, NMLA attorneys have no access to those records unless an attorney drives up to three hours round-trip to the courthouse to get criminal complaints. There is a very strict oversight in NMLA concerning confidentiality of records. If an employee were to take information of a confidential nature and disseminate it that is considered gross misconduct and they would be fired. No one at NMLA has ever been disciplined for breach of confidentiality. Ms. Allen is requesting maximum access allowed to court records in order to assist every possible client. At present NMLA's only access to case information is the same as the general public. Hearings are scheduled within ten days of the petition being filed, however in many cases attorneys will have to ask for a continuance of the case or there will be a temporary order for a few months until something transpires with the criminal case.

- Greg Saunders clarified that giving Secured OPA access to another agency taxes the JID resources as all of the Secured OPA accounts have to be managed and the risk is that another information hole is being created in the database as anyone with access to Secured OPA has access to most of the case files in the system.
- Judge Singleton is a member of the Access to Justice Commission and the Supreme Court has charged the commission with funding requests from groups like NMLA who provide legal services to low income clients in New Mexico. Domestic Violence (DV) victims have been told that they need to work through NMLA. The goal is to make NMLA as efficient as possible in order to better serve DV victims.
- Judge Mitchell referred to the Online Access Subcommittee (OAS) Matrix and noted that non-state eleemosynary users (which includes legal aid) are listed as a group who will be allowed access to hearing results and access to redacted documents at no charge when Portal is implemented. However it takes a great deal of JID resources to manage the users in Secure OPA and Judge Mitchell does not think that the access NMLA is requesting will provide them the information they are seeking.
- Ms. Allen pointed out that an alleged offender cannot be allowed to testify on a DV case when he/she has a criminal case pending, to make sure that due process is given out equally between both parties.

Judge Singleton moved to allow the New Mexico Legal Aid Attorneys assigned in the Domestic Violence division access to Secured Odyssey Public Access. Judge Sanchez seconded. No opposition noted. Motion carried.

IV. Budget and Revenue.

JID Revenue Pipeline. Oscar Arevalo presented the “*JID Revenue Pipeline*” and reported that (p1) the funds are still lower than last year as a result of (p2) missing an MVD transfer. The handout entitled “*SCAF transfers by District Court*” shows the transfers from FY13 thru FY15 by each district court and the decrease overall was approximately \$107,000 from FY13. The majority of the transfers from the district courts to SCAF come from civil cases. Mr. Arevalo indicated that the numbers of civil case filings have not changed significantly between FY13 and FY15; however the filing fees have decreased 13%. The Cash Flow Analysis (p3) shows

that the actual fund balance is projected to be \$755,192 for FY16. The fund balance ending in September 2015 (p4) remains at \$1,335,560. The Computer System Enhancement Fund (p6) shows the appropriations from data processing. Most of funds for the web portal have been pre-encumbered, the RFP for Jury Management is due to go out in a few days and an encumbrance has been issued for the Appellate Court implementation.

Action Item: JID staff to do a statistical analysis on the trends of civil filing fees in the district courts. JID will also identify and report to JIFFY on fees are collected in reopened cases.

V. JIFFY Subcommittee Activities.

Judges User Group. Judge Singleton reported that OJUG met this morning.

Civil Judgment Code Changes. OJUG had recommended to JIFFY that a civil judgment code be changed from the former three designations of “*judgment for plaintiff*”, “*judgment for defendant*” and “*mixed judgment*” to one code which read “*judgment decree entered*” and the event code would indicate the winner of the case. BCMC has a different configuration for their judgment data sheet than the rest of the state and if they use the old disposition codes it automatically populates who the judgment debtor is or who the judgment creditor is which means fewer mistakes and less data entry by clerks. That was configured for BCMC by Tyler without JID’s knowledge, because when the civil program for BCMC was configured, BCMC was working directly with Tyler and JID was not involved. That feature does not work with the judgment code “*judgment decree entered*” which JIFFY adopted. OJUG now recommends retaining “*judgment for plaintiff*”, “*judgment for defendant*” and “*mixed judgment*” and every court would use those three disposition codes.

Judge Singleton moved that JIFFY authorize the disposition codes “*judgment for plaintiff*”, “*judgment for defendant*” and “*mixed judgment*” remain available for civil judgments and for JID to implement disposition codes previously approved by JIFFY. Judge Alaniz seconded. No opposition. Motion carried.

- Judge Singleton stated that OJUG is suggesting that JIFFY assign JID the task of looking into having one court configured differently from other courts and how that affects data gathering as well as if the functionality of populating judgment codes would

be a good idea to have for all courts. If all of the courts should be configured the same, what should be done to fix the configurations so that they are all the same?

- Judge Mitchell stated that that this issue points out the continued need for configuration and conversations with Tyler to be managed solely by JIFFY and JID.
- Judge Bustamante agreed with Judge Mitchell and emphasized that it is imperative that the case management system be uniform across the state and if individual courts have an idea they would like to execute, they should bring it to JIFFY.

Judge Singleton moved that JIFFY assign JID to look into the differences in case management configurations in the courts and make a recommendation as to whether anything should be done to configure all of the courts in the same way. Tobie Fouratt seconded. No opposition noted. Motion carried.

Action Item: JID to look into the differences in case management configurations in the courts and make recommendations as to whether anything should be done to configure all of the courts in the same way.

Habeas Corpus Designation in Odyssey. Judge Singleton explained that Habeas Corpus rule 5-802 as currently written was very hard to understand and follow. A committee was formed that came up with rule changes that would make it clear what the responsibilities were of the clerks, the courts, the PD's and the AG's or DA's under the new rule. The Habeas Corpus Committee has proposed a rewrite of rule 5-802 which OJUG and a number of court staff believes clearly sets out what is supposed to happen in the process of a habeas corpus petition and preserves the goal of current rule 5-802 which is to make certain that these petitions are handled in a timely manner without doing harm to the interest of justice. The Petition for Writ of Habeas Corpus was revised to make it clearer for the inmate filling it out and make it easier to act upon by the clerk or judge. Rule 1-005 Service and Filing of Pleadings and other Paper was rewritten to so that the rule regarding service would reflect the changes suggested in 5-802. Service is no longer the responsibility of the petitioner/inmate but is the responsibility of the court clerk.

Judge Singleton moved that JIFFY recommend changes to habeas corpus processes denoted in the rewritten Rule 5-802, Petition Form 9-701 and Service and Filings Rule 1-005 to the Supreme Court. Judge Sanchez seconded. No opposition noted. Motion carried.

Forms Committee. Judge Mitchell related that the Forms Committee will be meeting next week.

Data Standards. Judge Mitchell reported that Data Standards met yesterday and began to look at the issues and work on hearings. The issue came up that JIFFY takes action that does not get disbursed to the judiciary and so the courts are not always aware of changes that have been made. Judge Mitchell recommended that JIFFY action items and motions be sent out to justice@nmcourts.gov.

- Mr. Saunders brought up the idea that the revamped website will contain an intranet which will allow better communication within the judiciary and information can be tailored to appear for a specific period of time after the minutes or action items have been posted.

Online Access Subcommittee. Judge Mitchell stated that OAS will only meet at the call of the Chair and Judge Mitchell does not expect OAS to meet until late spring.

IT Budget Strategy Committee. Judge Sanchez conveyed that the committee agreed that the burdens on IT are accelerating. The committee is gathering information to determine the IT needs of the NM Judiciary for the future. The committee plans to meet in November but not in December. The goal is to have a projection of needs for JIFFY by spring 2016.

VI. CIO Report. Greg Saunders reported that Margarita Terrell will begin with JID as a Business Analyst on October 26, 2015. Jacob Martinez will join Systems on October 26, 2015. Recruitment is in progress for the DBA position and for Helen's position.

Computer Enhancement Fund Presentations. The Computer Enhancement Fund presentations for Odyssey upgrade totaling \$903,000, VNOC upgrade, RCS system replacement and Jury Cash Remediation will take place tomorrow at the State Library.

Magistrate Scanning. Santa Fe Magistrate Court is in process and training will begin in October. McKinley County will commence in November. This is a reimbursement process from DOT for the equipment.

VRI Update. Phase I (May thru August 2015) which includes Deming Magistrate, Artesia Magistrate, Carlsbad Magistrate, Lordsburg Magistrate, Socorro District and Roswell Magistrate (VOIP Pilot) is complete. Phase II comprised of Clovis, Silver City, Bayard and Socorro Magistrate Courts should be completed by December 2015. The entire project is scheduled to be finalized June 2016.

Email Replacement Committee. A technology committee is looking at suggestions for email replacements. The committee is considering the technology, how it will be hosted, and the overall cost for the courts, the functionality and what enhancements can be added. BCMC has offered to be the pilot site for this project.

TRACs Update. The scheduled implementation for TRACs is February 2016. The contracts are being renewed with DOT and it is taking some time to get the signed agreement back from DOT.

VII. Additional Items.

E-Pay Update. Mr. Saunders referred to the graph entitle “*Court ePayment Totals by Month – Feb 15 thru September*” and noted that the collections went down in August but are up significantly in September.

Active Directory. Vince Nicolosi presented the Active Directory (AD) progress report and stated that in July, JIFFY approved going forward with installing AD throughout the NM Judiciary. AD provides a number of tools to enforce the policies and controls needed to significantly reduce the likelihood of successful attacks and gives the Systems and Client Teams the ability to install or update software, make configuration changes and enforce PC policies from a centralized location. The goal for the 3rd and 4th quarter of 2015 is to complete the configuration of AD backend servers, test the system at two courts and convert two courts. In the 1st quarter of 2016 the plan is to convert all magistrate courts and begin the conversion of district courts. The second quarter of 2016 is scheduled for completion of the conversion of all of the district courts and in the 3rd quarter of 2016 is scheduled to complete the conversion of the Supreme Court, AOC and Court of Appeals. JID staff will need to manually add every computer in every court and add all users into an AD database. New operating procedures will

have to be created to handle the management and security of users, PC's and software. User rights will be restricted. Mr. Nicolosi referred to the pages entitled "*Active Directory Project Tasks*" and explained that each task in bold lettering contains a list of subprojects that have to be completed, the duration, start date, finish date and the percentage of completion by the finish date. The Active Directory Playbook (instruction manual for installing AD) Table of Contents contain the Active Directory functional issues used to install AD management tools, add PCs and users to the system. This is a live document that is updated weekly. The pilot phase of the project has been completed. The conversion of 49 magistrate courts is in progress. When phase III is completed every PC and server will be in the NM Judiciary AD network. An additional benefit from AD is a document management system called Application Xtender which is presently being used for water case documents.

Overview of Odyssey Release vs. Revision. Genevieve Grant, the Technical Support Manager for Odyssey relayed that currently Odyssey is certified on IE10 and Microsoft will no longer support IE10 as of January 12, 2016 which puts NM Judiciary at considerable security risk. JID had a choice to go with a patch to the current version of Odyssey 2013.0.76 or to move forward with the 2014.0.37 version of Odyssey which did not include the Appellate Court. The decision was made to utilize a patch to the current 2013.0.76 which can be rolled out by January 18, 2016 and will support the use of IE11. To rollout an upgrade of 2014. 0.37 version of Odyssey carries major risks of data integrity issues, requires extensive configuration and could take up to eight months to rollout. Version 2014.0.37 of Odyssey has been tested and vetted through Tyler and through customers and is scheduled to be rolled out summer 2016 in New Mexico.

IX. Future Meetings. The next meeting will be held on November 19, 9:30 a.m., at the Judicial Information Division.

- The December 17 JIFFY meeting is canceled.
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- The January JIFFY meeting will be held on Friday January 22, 9:30 a.m.

X. Adjourn. Judge Mitchell adjourned the meeting at 12:07 p.m.

